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10/529,577	03/30/2005	Eva-Maria Leppanen	059643.00596	7884
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EXAMINER				
NOORISTANY, SULAIMAN				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,577

Applicant(s)

LEPPANEN ET AL.

Examiner

SULAIMAN NOORISTANY

Art Unit

2446

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 11-17, 19, 21-25 and 27-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 11-17, 19, 21-25, 27-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/30/2005, 10/17/2006, 7/23/2008.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

This Office Action is response to the application (10/529577) filed on 03/23/2009

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 7 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/18/08 has been entered.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 11-17, 19, 21-25, 27-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mathis** U.S Patent No. **US 6993327** in view of **Philonenko** U.S Patent App. No. **US 2003/0009530**.

Regarding claim 1, Mathis teaches wherein a communication system comprising:

a memory configured to store presence information associated with at least one user (**Fig. 1, unit 102 – The client devices 102, 104, 106, 108 and the server 112**

each include a processor for general operation of the server and a memory for storage of applications and data – col. 3, lines 13-26); for identifying an application for which said at least one part is intended **(Each contact list is able of identifying devices of the plurality of communication devices – col. 2, lines 10-34; The present invention enables distribution of presence information to multiple client devices – col. 3, lines 1-67) .**

However, Mathis does not explicitly teach *a processor configured to provide to at least one entity presence information associated with said at least one user.*

Philonenko further teaches that is well known that to utilize said presence information comprising a plurality of parts, at least one of said parts comprising information identifying an application for which said at least one part is intended **(identification parameter (member ID number) – [0146]);** and

at least one entity to which presence information associated with said at least one user is provided, said at least one entity comprising at least one application **(entities include agents, clients, machines, and software applications – [0021]),**

said at least one entity being configured to use said information to obtain the at least one part of said presence information intended for said at least one entity application of the at least one entity **(a client may configure as many devices into the system as desired for enabling agent callbacks under a variety of circumstances – [0119])** in order to make this more efficient and providing communication capability using an instant message and presence protocol between members of the communication center including automata of the center [0002].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mathis's invention by utilizing software (application) which is monitoring and reporting application and providing for reporting presence information of networked entities in real time. While presence information is flexible and useful for reporting information about agents to clients and about clients to agents, it has occurred to the inventors that there also exists an opportunity for using such a presence protocol for managing the communication center itself in terms of internal policy, and member-to-member communication within the center whether agent-to-agent, machine-to-machine, agent-to-machine, or machine-to-agent. Furthermore, what is clearly needed is system and method that extends the use of an instant message and presence protocol to enable synchronizing of data among members of the communication center team itself and the call center equipment. Such a system and method would economize communication by replacing some of the more complex and traditional telephony software routines, as taught by Philonenko [0017-0018].

Regarding claim 11, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said at least one user comprises user equipment (**Fig. 1 -- wireless connectivity 118 between the client devices 102, 104, 106, 108 and the server – col. 3, lines 12-30**).

Regarding claim 12, Mathis and Philonenko together taught the server as in claim 1 above. Philonenko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (**FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

Regarding claims 13, Mathis and Philonenko together taught the server as in claim 1 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol (**SIP – [0100]**).

Regarding claims 14, Mathis and Philonenko together taught the server as in claims 1 above. Mathis further teaches wherein said part of information comprises a tuple (**Fig. 11, unit 1107 – Tuples – [0178]**).

Regarding claims 15, Mathis and Philonenko together taught the server as in claim 1 above. Mathis further teaches wherein said tuple comprises; Philonenko further teaches wherein information identifying said user and said application identifying information (**every client subscribing to the system of the present invention is provided with**

at least an identification parameter (member ID number) – [0146]].

Regarding claims 16, Mathis and Philonenko together taught the server as in claim 1 above. Philonenko further teaches wherein said processor is configured to receive a request from said entity for only one or more parts of said presence information processed by one or more applications of said entity (**FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-center presence reporting according to an embodiment of the present invention – [0030]**).

Regarding claims 17, Mathis and Philonenko together taught the server as in claim 1 above. Philonenko further teaches wherein said server comprises a filter to provide only the requested parts of said presence information. (**filtering status information that closely matches a user request – [0056]**).

Regarding claim 19, Mathis and Philonenko together taught the server as in claim 1 above. Philonenko further teaches wherein said server comprises a filter to provide only the requested parts of said presence information. (**filtering status information that closely matches a user request – [0056]**).

Regarding claim 21 list all the same elements of **claims 1**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1** applies equally as well to **claim 21**.

Regarding claim 22, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein said entity application is configured to process the at least one part of the presence information that comprises information identifying said entity application (**a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45**)

Regarding claim 23 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 23**.

Regarding claim 24 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 24**.

Regarding claim 25, Mathis and Philonenko together taught the apparatus of claim 24, as described above. Mathis further teaches wherein said entity application is configured

to process the at least one part of the presence information that comprises information identifying said entity application (**a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**

Regarding claim 27 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 27**.

Regarding claim 28 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 28**

Regarding claim 29, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal (**In FIG. 5 there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105]).**

Regarding claim 30, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the at least one user comprises a presence engine **(A user may connect to an IM server to establish and download presence information – Col. 2, lines 62-65).**

Regarding claim 31, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein said at least one application is configured to register with said presence engine said information identifying said application **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).**

Regarding claim 32, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information **(A contact list, associated with each communication device, identifies one or more of the other communication devices – col. 1, lines 59-61).**

Regarding claim 33, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (**FIG. 6 is a plan view of an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110]**).

Regarding claim 34, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol (**SIP – [0100]**).

Regarding claim 35, Mathis, Sylvain and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple (**Fig. 11, unit 1107 – Tuples – [0178]**).

Regarding claim 36, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information (**every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID**

number) – [0146]).

Regarding claim 37, Mathis and Philonenko together taught as in system as in claim 23 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information (**Fig. 2, unit 260 – each client device configures itself to receive multicast messages**).

Regarding claim 38, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application (**Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses**).

Regarding claim 39, Mathis, Sylvain and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information (**Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45**).

Regarding claim 40, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal (**In FIG. 5**

there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105]).

Regarding claims 41, Mathis and Philonenko together taught the server as in claim 24 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request (Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).

Regarding claim 42, Mathis and Philonenko together taught the server as in claim 24 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (FIG. 6 is a plan view of an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110]).

Regarding claim 43, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol (SIP – [0100]).

Regarding claim 44, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple (Fig. 11, unit 1107 – Tuples – [0178]).

Regarding claim 45, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146])**.

Regarding claim 46, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein the apparatus is configured to request only one or more parts of said presence information processed by one or more applications of the apparatus **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189])**.

Regarding claim 47, Mathis and Philonenko together taught the server as in claim 24 above. Philonenko further teaches wherein said server comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056])**.

Regarding claim 48, Mathis and Philonenko together taught the system as in claim 24 above. Philonenko further teaches wherein said filtering unit is provided in at least one of a server **(filtering status information that closely matches a user request – [0056])**, a presence server: and said at least one user **(presence server – [0066])**.

Regarding claim 49, Mathis and Philonenko together taught the server as in claim 24 above. Philonenko further teaches wherein said server comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056])**.

Regarding claim 50 list all the same elements of **claims 1 & 21**, but in method form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 50**.

Regarding claim 51 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 51**.

Regarding claim 52 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 52**.

Regarding claim 53, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein directing said at least one part of said information to the identified entity application information identifying said entity application (a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).

Regarding claims 54, Mathis and Philonenko together taught the server as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request (**Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]**).

Regarding claim 55, Mathis and Philonenko together taught the server as in claim 21

above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (**FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

Regarding claims 56, Mathis and Philonenko together taught the server as in claims 21 above. Mathis further teaches wherein said part of information comprises a tuple (**Fig. 11, unit 1107 – Tuples – [0178]**).

Regarding claims 57, Mathis and Philonenko together taught the server of claim 21, as described above. Mathis further teaches wherein said tuple comprises; Philonenko further teaches wherein information identifying said user and said application identifying information (**every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]**).

Regarding claim 58, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information (**Fig. 2, unit 260 – each client device configures itself to receive multicast messages).**

Regarding claim 59, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application (**Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses**).

Regarding claims 60, Mathis and Philonenko together taught the server as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request (**Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]**).

Regarding claim 61, Mathis and Philonenko together taught the server as in claim 21 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (**FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101**).

Regarding claims 62, Mathis and Philonenko together taught the server as in claims 50 above. Mathis further teaches wherein said part of information comprises a tuple (Fig. 11, unit 1107 – Tuples – [0178]).

Regarding claims 63, Mathis and Philonenko together taught the server of claim 50, as described above. Mathis further teaches wherein said tuple comprises; Philonenko further teaches wherein information identifying said user and said application identifying information (every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).

Regarding claims 64, Mathis and Philonenko together taught the server as in claim 50 above. Philonenko further teaches wherein said processor is configured to receive a request from said entity for only one or more parts of said presence information processed by one or more applications of said entity (FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-center presence reporting according to an embodiment of the present invention – [0030]).

Regarding claim 65, Mathis and Philonenko together taught the server as in claim 50 above. Philonenko further teaches wherein said server comprises a filter to provide only

the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Response to Amendment

Applicant's arguments with respect to claim(s) have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sulaiman Nooristany whose telephone number is (571) 270-1929. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446